UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
CERVETTI, DAVID GARCIA

ART UNIT	PAPER NUMBER
2436	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 February 2009*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19,21-41 and 43-57* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-19,21-41 and 43-57* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *31 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *2/19/09*.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   Applicant's arguments filed February 19, 2009, have been fully considered.

2.   Claims 1-19, 21-41, and 43-57 are pending and have been examined. Claims 20

and 42 have been canceled.

Response to Amendment

3.   Regarding the arguments against the prior art, Examiner respectfully submits that

Garcia does in fact teach the amended portion, an action unrelated to a second

electronic document (col.4, lines 25-50, create documents off-line and synchronizing

when back online). Arguments are not persuasive. Furthermore, adding an address

(claim 19) to the myriad of items already taught by Garcia would have been obvious,

and Examiner submits that it the address is inherent to the system, in order for the client

to know to which server it needs to communicate, transparently. Arguments are not

persuasive.

4.   Regarding the traversal of the Official Notice taken by Examiner, Examiner

submits that Beard et al. (2005/0044378, par.109-112, 7,302,570, col.15, lines 15-35),

Johnston et al. (7,058,663, claim 1), Altenhofen et al. (2003/0232318, par.78-87), Seo

et al. (2002/0046176, par.19, 38, 47, claim 8) teach the features.

Claim Rejections - 35 USC § 101

5.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

6.   Claims are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

7.   Claim(s) 1-19, 21-22 is/are rejected under 35 U.S.C. 101 as not falling within one

of the four statutory categories of invention. While the claims recite a series of steps or

acts to be performed, a statutory "process" under 35 U.S.C. 101 must (1) **be tied to**

particular machine, or (2) **transform underlying subject matter** (such as an article or

material) to a different state or thing. See page 10 of In Re Bilski 88 USPQ2d 1385. The

instant claims are neither positively tied to a particular machine that accomplishes the

claimed method steps nor transform underlying subject matter, and therefore do not

qualify as a statutory process. The method including steps of … is broad enough that

the claim could be completely performed mentally, verbally or without a machine nor is

any transformation apparent.

Claim Rejections - 35 USC § 102

8.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

9.   **Claims 1, 4-19, 21-23, 26-41, and 43-57 are rejected under 35 U.S.C. 102(e)**

as being anticipated by Garcia (US Patent 7,380,120).

      Regarding claims 1 and 23, Garcia teaches

      receiving a request from a client to take an action with respect to a first electronic

document (col.32, lines 20-67, offline access enablement for particular files), the action

unrelated to a second electronic document (col.4, lines 25-50, create documents off-

line); and

      synchronizing offline access information with the client, in response to the

request, to pre-authorize the client, to allow actions by a user as a member of a group of

users, by sending to the client an update to offline access information retained at the

client, the update comprising a first key associated with the group, the first key being

useable at the client to access a second electronic document while offline by decrypting

a second key in the second electronic document (col.33, lines 1-55, update stored

rules).

Regarding claims 12 and 34, Garcia teaches

receiving a request to take an action with respect to a first electronic document

(col.32, lines 20-67, offline access enablement for particular files), , the action unrelated

to a second electronic document (col.4, lines 25-50, create documents off-line); and

synchronizing offline access information with a document control server in

response to the request, when online, to pre-authorize offline access to the second

electronic document, the synchronizing comprising receiving an update to offline access

information retained locally, the update comprising a first key associated with a group of

users of the document control server (col.33, lines 1-55, update stored rules); and

allowing access to the second electronic document, when offline, by performing

operations comprising using the first key to decrypt a second key in the second

electronic document and governing actions with respect to the second electronic

document based on document-permissions information associated with the second

electronic document (col.33, lines 1-67, user access according to updated rules while

offline).

Regarding claims 19 and 41, Garcia teaches

encrypting an electronic document (fig.2B); and

incorporating into the encrypted electronic document an address of a document

control server, document-permissions information, and an encryption key useable in

decrypting the encrypted electronic document, the encryption key being encrypted with

a key generated by, and associated with a group of users of, the document control

server; wherein the encryption key comprises a session key generated by the document

control server, encrypting the electronic document comprises encrypting the electronic

document using a document key, and incorporating comprises incorporating into the

encrypted electronic document a document security payload comprising the document

key and the document-permissions information, the document security payload being

encrypted using the session key (fig.2C.3, col.15, lines 30-67, col.28, lines 35-60,

authenticate user on access of local document over at server).

Regarding claims 45 and 56, Garcia teaches

a document control server that

receives a client request to take an action with respect to a first electronic

document (col.32, lines 20-67, offline access enablement for particular files), the client

request unrelated to a second electronic document (col.4, lines 25-50, create

documents off-line); and

synchronizes offline access information with a client in response to a client

request, to pre-authorize offline access to an electronic document by sending an update

to the offline access information retained at the client, the update comprising a first key

associated with a group, the first key being useable at the client to access the electronic

document by decrypting a second key in the electronic document (col.33, lines 1-55, update stored rules); and

the client that <u>stores the first key in a memory and</u> allows access to the electronic document, when offline, by a user as a member of the group, using the first key to decrypt the second key in the electronic document and governing actions with respect to the electronic document based on document-permissions information associated with the electronic document (col.33, lines 1-67, user access according to updated rules while offline).

Regarding claims 4 and 26, Garcia teaches wherein the client allows actions with respect to the second electronic document based on document-permissions information residing in the second electronic document (col.13, lines 1-55).

Regarding claims 5 and 27, Garcia teaches wherein the offline access information update further comprises document-permissions information associated with multiple documents, including the second electronic document, and the client allows actions with respect to the second electronic document based on the document-permissions information (col.33, lines 1-67).

Regarding claims 6 and 28, Garcia teaches wherein synchronizing offline access information with the client comprises synchronizing silently in a background process without the user being aware of the update (col.33, lines 1-67).

Regarding claims 7 and 29, Garcia teaches wherein the request requires authentication, the method further comprising verifying the user at the client as an authenticated user (col.32, lines 20-67).

Regarding claims 8 and 30, Garcia teaches wherein the offline access information update further comprises: at least one user-specific key; at least one group-specific key, including the first key; and at least one set of document-permissions information associated with multiple documents (col.33, lines 1-67).

Regarding claims 9 and 31, Garcia teaches receiving an offline audit log from the client (col.31, lines 30-45).

Regarding claims 10 and 32, Garcia teaches wherein the at least one set of document-permissions information comprises one or more policies associated with the first document, and the offline access information update further comprises a document revocation list (col.33, lines 1-67).

Regarding claims 11 and 33, Garcia teaches wherein the offline access information update further comprises at least one set of document-permissions information, associated with a specific document, selected based on synchronization prioritization information (col.33, lines 1-67).

Regarding claims 13 and 35, Garcia teaches wherein governing actions with respect to the electronic document comprises obtaining the document-permissions information from the electronic document (col.13, lines 1-67).

Regarding claims 14 and 36, Garcia teaches wherein governing actions with respect to the electronic document comprises: identifying a document policy reference in the electronic document; and obtaining locally retained document-permissions information based on the document policy reference (col.13, lines 1-67).

Regarding claims 15 and 37, Garcia teaches wherein the offline access

information update comprises at least one user-specific key, at least one group-specific

key, including the first key, at least one set of document-permissions information

associated with multiple documents, and a document revocation list (col.13, lines 1-67).

Regarding claims 16 and 38, Garcia teaches preventing access to the

document, when offline, if a difference between a current time and a receipt time of the

offline access information exceeds a server-synchronization-frequency parameter

(col.33, lines 1-67).

Regarding claims 17 and 39, Garcia teaches wherein the server-

synchronization- frequency parameter is specific to the document (col.33, lines 1-67).

Regarding claims 18 and 40, Garcia teaches maintaining an offline audit log;

and uploading the offline audit log when online (col.31, lines 30-45).

Regarding claims 21 and 43, Garcia teaches wherein the document security

payload further comprises a document identifier assigned by the document control

server, and incorporating further comprises incorporating into the encrypted electronic

document a copy of the session key encrypted using a public key associated with the

document control server (col.15, lines 1-67).

Regarding claims 22 and 44, Garcia teaches wherein the document-

permissions information specifies access permissions at a level of granularity smaller

than the electronic document (col.13, lines 1-67).

Regarding claim 46, Garcia teaches wherein the electronic document comprises

the document-permissions information (col.33, lines 1-67).

Regarding claim 47, Garcia teaches wherein the second key comprises a
session key generated by the document control server, and the electronic document
further comprises a document security payload comprising a document key and the
document-permissions information, the document security payload being encrypted
using the session key (col.33, lines 1-67).

Regarding claim 48, Garcia teaches wherein the offline access information
update further comprises: at least one user-specific key; at least one group-specific key,
including the first key; and at least one set of document-permissions information
associated with multiple documents (col.33, lines 1-67).

Regarding claim 49, Garcia teaches wherein the client comprises an agent that
periodically contacts the document control server to synchronize the offline access
information (col.33, lines 1-67).

Regarding claim 50, Garcia teaches wherein the document control server
comprises: a server core with configuration and logging components; an internal
services component that provides functionality across dynamically loaded methods; and
dynamically loaded external service providers, including one or more access control
service providers (col.32, lines 1-67).

Regarding claim 51, Garcia teaches a business logic tier comprising a cluster of
document control servers, including the document control server; an application tier
including the client comprising a viewer client, a securing client, and an administration
client; and a load balancer that routes client requests to the document control servers
(col.32, lines 1-67).

Regarding claim 52, Garcia teaches wherein the client request comprises a request from the client to take an action with respect to a second document, and the document control server synchronizes offline access information with the client silently in a background process without the user being aware of the update (col.33, lines 1-67).

Regarding claim 53, Garcia teaches wherein the document control server comprises a permissions-broker server including a translation component, the second document comprises a document secured previously by the permissions-broker server, and the translation component being operable to translate first document-permissions information in a first permissions-definition format into second document-permissions information in a second permissions-definition format in response to the request being received from the client (col.32, lines 1-67).

Regarding claim 54, Garcia teaches wherein the server comprises a permissions- broker server operable to identify information associated with the second document in response to the request, the associated information being retained at the server and indicating a third electronic document different from and associated with the second document, the server being operable to relate information concerning the third electronic document to the client to facilitate the action to be taken (col.33, lines 1-67).

Regarding claim 55, Garcia teaches wherein the server comprises a permissions- broker server operable to obtain and send, in response to the request, a software program comprising instructions operable to cause one or more data processing apparatus to perform operations effecting an authentication procedure, and the client uses the authentication program to identify a current user and control the

action with respect to the second document based on the current user and document-permissions information associated with the second document (col.32, lines 1-67).

Regarding claim 57, Garcia teaches server means for dynamically obtaining and sending authentication processes in response to client requests to take actions with respect to electronic documents; and client means for interfacing with a received authentication process to identify a current user and for controlling actions with respect to electronic documents based on the current user and document-permissions information (col.31, lines 1-67).

Claim Rejections - 35 USC § 103

10.   The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

11.   **Claims 2-3 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garcia.**

Regarding claim 2 and 24, Garcia does not expressly disclose wherein synchronizing offline access information with the client comprises comparing a time of last recorded client- synchronization with a time of last change in user-group information for the user. However, Examiner takes Official Notice that the USE of comparing times to determine whether to update or not was conventional and well known. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to compare times of last changed when synchronizing content since Examiner takes Official Notice that it was conventional and well known.

Regarding claims 3 and 25, Garcia does not expressly disclose wherein

synchronizing offline access information with the client comprises: receiving user-group

information for the user from the client; and comparing current user-group information

for the user with the received user-group information for the user from the client.

However, Examiner takes Official Notice that the <u>USE</u> of comparing membership was

conventional and well known. Therefore, it would have been obvious to one having

ordinary skill in the art at the time the invention was made to compare times of last

changed when synchronizing content since Examiner takes Official Notice that it was

conventional and well known.

Conclusion

12.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to David García Cervetti whose telephone number is
(571)272-5861. The examiner can normally be reached on Monday-Tuesday and
Thursday-Friday.
13.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Nasser Moazzami can be reached on (571)272-4195. The fax phone
number for the organization where this application or proceeding is assigned is 571-
273-8300.
14.   Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR.
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system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David García Cervetti/
Primary Examiner, Art Unit 2436